IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 17TH APRIL 2007 / 27TH CHAITHRA 1929

Bail Appl..No. 2333 of 2007()

PETITIONERS:ACCUSED

1. SAMEER.U, S/O.UNUS KUTTY, VILLAGINTE KIZHAKKATHIL, PATHIYOOR MURI, KEERIKKAD VILLAGE, KARTHIKAPPALLY.

2. RATHEESH, S/O.KRISHNAN KUTTY, RAJANEESH BHAVANAM, PATHIYOOR MURI, KEERIKKAD VILLAGE, KARTHIKAPPALLY.

3. PRADEEP, S/O.CHANDRAN, KINATTUKARAYIL, PATHIYOOR MURI, KEERIKKAD VILLAGE, KARTHIKAPPALLY.

BY ADVS. M/S.GEORGE VARGHESE(PERUMPALLIKUTTIYIL), A.R.DILEEP AND KAVITHA GANGADHARAN

RESPONDENTS: STATE AND COMPLAINANT

1. STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE, KAREELAKULANGARA POLICE STATION.

BY PUBLIC PROSECUTOR SRI.JOI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

B.A. NO. 2333 OF 2007

Dated this the 17th day of April, 2007

O R D E R

This is an application under Section 438 of the Code of Criminal Procedure for granting anticipatory bail.

2. The petitioners are the accused in Crime No.257 of 2006, Kareelakulangara Police Station. The offences alleged against the petitioners are under Sections 294(b), 354, 427 and 452 read with Section 34 of the Indian Penal Code.

3. Learned Public Prosecutor submits that the final report is filed on 29.11.2006 and the case is pending as C.C.No.780 of 2006, on the file of the Judicial Magistrate of the First Class, Haripad. The petitioners are respectively accused Nos.2, 3 and 1 in the case. The learned Public Prosecutor also submits that since the petitioners failed to appear before the

court below, non-bailable warrant was issued against the petitioners.

4. In the light of the facts and circumstances as disclosed and the submission made by the learned Public Prosecutor, it is for the petitioners to appear before the court below and apply for regular bail. If the petitioners file such an application, the court below shall consider the same preferably on the same day itself.

The Bail Application is disposed of as above.

(K.T.SANKARAN)
Judge

ahz/